

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

09/882,857

MS150900.15

REMARKS

Claims 1-46 are currently pending in the subject application and are presently under consideration. Claims 1, 34, 40, and 44 have been amended herein to clarify what applicants regard as the invention – such amendments are not intended to narrow the scope of the invention as originally claimed, but rather provide for clarification of various novel aspects of applicants' invention.

Favorable consideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to Claim 40

Claim 40 is objected to for a minor informality. This claim has been amended in accordance with the Examiner's suggestion, and therefore withdrawal of this objection is respectfully requested.

II. Rejection of Claims 1-4 Under 35 U.S.C. §102(e).

Claims 1-4 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Giles *et al.* (U.S. 6,437,812). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Giles *et al.* does not teach or suggest each and every element as recited in the subject claims.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the...claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

The subject invention as claimed relates to a scope user interface for displaying the priorities and properties of multiple informational items. In particular, independent claim 1 as amended recites a notification system that ... *automatically provides a glancable interface corresponding to a priority level of one or more subset of the prioritized*

09/882,857

MS150900.15

notifications. Giles *et al.* does not teach or suggest such novel aspect of applicants' claimed invention.

Applicants' invention as recited in the subject claims provides for automatically organizing and displaying information so that the information is glanceable to a user in accordance with one or more subsets of prioritized notifications. More particularly, the notification system provides for a rich highly intuitive user interface that is *glanceable* in that it provides an overview display, unifies multiple sources, and locates important items in the center of display, for example, to enable a singular point of focus. Moreover, such rendering of display objects is performed *automatically*. Giles *et al.* clearly does not teach or suggest such aspects of applicants' invention. Rather, the cited references teaches a simplistic user intensive interface for displaying hierarchically structured information. The tree structure taught by Giles *et al.* is far from glanceable let alone automatic since the user must select one or objects to drill down to what he/she deems relevant. On the other hand, the subject invention automatically organizes information as a function of determined or inferred priority thereof and displays the information so as to glanceable to a user. It is readily apparent that Giles *et al.* does not teach or suggest such features of applicants' invention as recited in the subject claims, and this rejection should be withdrawn.

III. Rejection of Claims 5-7, 34, 37-38, and 43-44 Under 35 U.S.C. §103(a)

Claims 5-7, 34, 37-38, and 43-44 stand rejected as being unpatentable over Giles *et al.* in view of Wichelman *et al.* (U.S. 6,590,587). Withdrawal of this rejection is respectfully requested for at least the following reasons. Neither Giles *et al.* nor Wichelman *et al.*, alone or in combination, teach or suggest all the claim limitations of applicants' invention.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference

09/882,857

MS150900.15

teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The *teaching or suggestion to make the claimed combination* and the reasonable expectation of success must be found in the prior art and not based on the Applicant's disclosure. See *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 5-7 depend from independent claim 1. Independent claims 34 and noted *supra*, Giles *et al.* does not teach or suggest automatically providing a glancable display of information as a function of priority of the information as recited in claim 1 (and similarly in claims 34 and 44). Wichelman *et al.* does not make up for the aforementioned deficiencies of Giles *et al.* Wichelman *et al.* teaches "a monitoring system and methods for enabling efficient monitoring of communications signals communicated along a plurality of connections." (See Wichelman *et al.*, col. 2, lns. 49-51). Specifically, Wichelman *et al.* employs the technique of a "facial indicator that informs a user whether a critical event has occurred with one of the channels 58 in the node 18 displayed." (See col. 38, lns. 54-56). The facial indicator (*e.g.*, smiley face, frown face, puzzled face) of Wichelman *et al.* is a primitive means for conveying information to the user pertaining to state of a node. Each node transitions between three states: normal, advisory, and critical. (See col. 37, lns. 33-38). There is no teaching in the cited reference of automatically organizing information based on priority and rendering the organized information so as to be *glancable* as in applicants' claimed invention.

In view of at least the forgoing, it is respectfully submitted that neither Giles *et al.* nor Wichelman *et al.* alone or in combination teach or suggest applicants' invention as recited in claims 5-7, 34, 37-38, and 43-44. This rejection should be withdrawn.

09/882,857

MS150900.15

IV. Rejection of Claims 8-14, 16-18, 20-25, 28-32, 35-36, 39-42 and 45-46 Under 35 U.S.C. §103(a)

Claims 8-14, 16-18, 20-25, 28-32, 35-36, 39-42 and 45-46 stand rejected as being unpatentable over Giles *et al.* in view of Wichelman *et al.* and in further view of Tanaka *et al.* (U.S. 5,471,399). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Neither Giles *et al.*, Wichelman *et al.*, nor Tanaka *et al.* alone or in combination, teach or suggest all the claim limitations of applicants' invention.

The subject claims respectively depend from independent claims 1, 34 and 44. Tanaka *et al.* does not make up for the aforementioned deficiencies of Giles *et al.* and Wichelman *et al.* with respect to these independent claims. Tanaka *et al.* teaches a network management system in which only a portion of important managed object instances of a network are displayed and managed object instances concealed from view can be easily displayed on the screen. (See col. 1, lns. 50-53). Again, this reference does not teach or suggest automatically organizing objects as a function of priority and rendering objects so as to be glancable to a user as in the claimed invention. Accordingly, it is respectfully submitted that applicants' invention as recited in the subject claims is not obvious over the combination of Giles *et al.*, Wichelman *et al.*, and Tanaka *et al.* - this rejection should be withdrawn.

V. Rejection of Claims 15 and 41 Under 35 U.S.C. §103(a)

Claims 15 and 41 stand rejected as being unpatentable over Giles *et al.* in view of Wichelman *et al.* and Tanaka *et al.* and further in view Battat *et al.* (U.S. 6,289,380). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons.

Claims 15 and 41 respectively depend from independent claims 1 and 34. Battat *et al.* teaches a system and apparatus for visualizing components of a computer network system in a realistic three-dimensional environment for purposes of systems and network management. (See col. 4, lns. 47-50). Battat *et al.* does not make up for the aforementioned deficiencies of the primary references regarding the subject independent claims, and therefore this rejection should be withdrawn.

09/882,857

MS150900.15

VI. Rejection of Claims 19, 26, 27, and 33 Under 35 U.S.C. §103(a)

Claims 19, 26, 27, and 33 stand rejected as being unpatentable over Giles *et al.* in view of Wichelman *et al.* and Tanaka *et al.* and further in view Simonoff *et al.* (U.S. 6,078,322). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Neither Giles *et al.*, Wichelman *et al.*, Tanaka *et al.*, nor Simonoff *et al.* alone or in combination, teach or suggest all the claim limitations of applicants' invention.

The subject claims depend from independent claim 1, and Simonoff *et al.* does not make up for the deficiencies of the primary references as discussed *supra* regarding claim 1. Simonoff *et al.* teaches methods that permit rapid generation of platform independent software applications executed on a universal client device." (See col 1, lns. 1-5). Simonoff *et al.* enables application programmers to quickly and easily script application program behavior without requiring modification to a device." (See col 4, lns. 17-20). It is readily apparent that this reference does not make up for the failed teachings of the cited primary references regarding automated organization and rendering glancably information as a function of priority to a user as in applicants claimed invention.

In view of at least the forgoing, it is respectfully submitted that neither Giles *et al.*, Wichelman *et al.*, Tanaka *et al.*, nor Simonoff *et al.* alone or in combination teach or suggest applicants' invention as recited in claims 19, 26, 27, and 33, and this rejection should be withdrawn.

09/882,857

MS150900.15

CONCLUSION

The present application is believed to be in condition for allowance, in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 (Ref. No. MSFT P248US).

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731